

Statement
of
Representative Rob Portman
Before the
Committee on Government Reform
United States House of Representatives
Oversight Hearing

Concerning
“Confronting Recidivism: Prisoner Re-entry Programs
and a Just Future for All Americans”

February 2, 2005

Mr. Chairman and Members of the Committee, I am honored to testify before you today regarding offender reentry and reducing recidivism.

Prisoner reentry is about reducing and preventing crime, as well as restoring lives. **We need to be both tough and smart on crime.** We need to be tough in keeping dangerous felons from returning and committing new crimes, but also smart in making sure that those who are coming home are given the most basic chance to start a new life and turn away from crime.

As you know, the numbers make a clear case for federal and state innovation on this issue. Over two million people are incarcerated in federal or state prisons, and over 97 percent of these prisoners will eventually be released and will return to our communities. Nearly 650,000 people are released from incarceration to communities nationwide each year. These numbers also make it clear that reentry affects each one of us. Reentry success or failure has implications for public safety, the welfare of children, family unification, growing fiscal issues, and community health. By doing a better job on offender reentry, we can prevent crime, help strengthen communities and save the taxpayers money.

Unfortunately, according to recent data from the Department of Justice, two-thirds of those released from prison will be rearrested within three years. The scale of this problem makes a strong case for Congressional action.

First and foremost, offender reentry is about preventing crime and keeping our communities safe. High rates of recidivism translate into

thousands of new victims each year. The social and economic costs of a 67 percent recidivism rate nationally are astounding.

Last session I worked very closely on a bill with many colleagues to help our states and communities better address the challenges of prisoner reentry. The Second Chance Act is a bipartisan approach to this problem that would better coordinate federal agencies and policies on prisoner reentry. The bill also increases the support to states and community organizations to address the growing population of ex-offenders returning to communities. The main areas of focus within the bill are 1) jobs, 2) housing, 3) substance abuse and mental health treatment, and 4) support for families. I want to express my sincere thanks to Rep. Souder and Rep. Danny Davis for helping to put this legislation together as original cosponsors and partners. I'd also like to thank Representatives Platts, Cannon, Owens, and Cummings for cosponsoring the Second Chance Act.

The primary goal of the Second Chance Act is public safety. The bill would make funds available to conduct studies to determine who is returning to prison or jail and which of those prisoners present the greatest risk to community safety. We need this data. The bill would also help in the development of procedures to assist relevant authorities in determining when release is appropriate and the use of data to inform the release decision. This would include the use of proven assessment tools to assess the risk factors of returning inmates and the use of technology to advance post-release supervision.

The reason I initially became involved in reentry is because of the connection between drug addiction and our prison population. The numbers are staggering: 57 percent of federal and 70 percent of state inmates used drugs regularly before prison. And the Bureau of Justice Statistics estimates the involvement with drugs/alcohol around the time of the offense as high as 84%. Without a continuum of care that links former prisoners who received treatment in prison to support in the community, recidivism is likely.

There is evidence that in-prison drug treatment programs are effective both pre-release and post-release. The key, of course, is that in-prison treatment is far more effective when coupled with treatment in the community after a prisoner is released. When there is not a continuum of care (access to AA meetings immediately, for example), there are much higher failure rates. That is why reentry programs are so important.

The research shows that without post-release aftercare, results are almost the same as those inmates who did not receive treatment in prison. The need for post-release continuity applies to every domain, including drug treatment, employment services, mental health counseling, or parent training. It is critical to make sure the right connections are made during reentry to the community. There are several successful programs that serve many different populations from adult men and women to juveniles. For example:

- The National Institute on Drug Abuse (NIDA) study of the California Amity Program showed a 75% return to custody rate after three years for offenders with no treatment. The return rate dropped to 27% with

in-prison treatment and aftercare. Return rates to prison of those offenders receiving treatment in prison, but not receiving aftercare or continuing care were similar to those offenders receiving no treatment in prison (Institute of Behavioral Research, Texas Christian University, Wexler et al).

- A study of the Delaware Key-Crest Program showed that after three years a released prisoner who received no treatment had a re-arrest rate at 71% for new arrests and a relapse rate at 95 % for drug use, but if an offender received in-prison treatment and completed aftercare then the re-arrest rate decreased to 31% and the drug use relapse rate dropped to 65% (Institute of Behavioral Research, Texas Christian University, Martin et al).
- Two studies of offenders who participated in community-based substance abuse treatment after release from prison found that treatment provided a statistically significant positive benefit in terms of reducing recidivism among subjects in the study compared to the comparison group that received no treatment (Belenko & Peugh 1998; Davidson-Coronado 2001).
- Additionally, programs in prisons and jails appear promising. The Forever Free program, which operates at the California Institution for Women, uses an educational curriculum combined with a strong 12-step emphasis that lasts up to 6 months. Graduates from the program can volunteer to participate in community treatment upon release to

parole. A one-year follow-up evaluation of the program of 180 women yielded positive outcomes.

- Other programs nationwide are also promising. The Ohio Department of Alcohol and Drug Addiction Services (ODADAS) cooperatively operates with the Ohio Department of Rehabilitation and Corrections (ODRC) four prison-based correctional facilities that are therapeutic communities. ODRC coordinates prison programs with services in the community, which is paramount for successful outcomes.

The key element in these promising programs is aftercare. Whether it be drug treatment, mental health services, job training or parenting skills, or any combination of these support services, successful completion and reduced recidivism depend largely on the availability of these services during the transition home and post-release.

The burden on our citizens and taxpayers is also a serious concern. The average cost to house a federal inmate is over \$25,000 a year. The average cost on the state level in 2000 was only slightly less –\$21,170 yearly. These figures do not include the cost of arrest and prosecution, nor do they take into account the cost to victims. On the other hand, a modest expenditure to help transition offenders back into the community can save taxpayers thousands of dollars. A prominent 2001 study in Washington State found that, “the best [reentry] programs can be expected to deliver 20% to 30% reductions in recidivism or crime rates” and that “programs that can deliver – at a reasonable program cost – even modest reductions in future criminality can have an attractive economic bottom line.”

Beyond fiscal issues, one of the most significant costs of prisoner reentry is the impact on children, the weakened ties among family members and destabilized communities. As you all know, the number of children with a parent in a federal or state correctional facility has increased over the last decade by more than 100% to approximately 2,000,000 children. When expanded to children with parents under some form of corrections supervision, the number is closer to 10 million children. This is one of my biggest concerns. These children are at risk for drug abuse and delinquency and need our attention. The bill would provide resources to grandparents and other kinship care and foster care providers who care for children during parental incarceration. It would also provide state and local governments with resources for family-based drug treatment to treat parents and their children as a complete family unit.

Last year during the President's State of the Union address he made a case for the need to address our reentering population in his state of the union address last year. The President put this issue in perspective, "America is the land of the second chance, and when the gates of the prison open, the path ahead should lead to a better life." During his address, he announced his Re-Entry Initiative, with a strong focus on job training, transitional housing, and prisoner mentoring from faith-based groups. This is an important aspect of our federal response to reentry. Our bill would authorize a small component of this plan and complements the President's larger reentry initiative. Together they mean a comprehensive plan to

drastically change how we serve these men and women and keep our communities safe.

Our communities and states have begun to address the challenges of prisoner reentry in innovative ways. In recent years, a number of state and local governments have begun to establish improved systems for reintegrating former prisoners. Under such systems, corrections officials begin to plan for a prisoner's release while the prisoner is incarcerated and provide a transition to needed services in the community. Faith leaders and parishioners have a long history of helping ex-offenders transform their lives. Through prison ministries and outreach in communities, churches and faith-based organizations have pioneered reentry services to prisoners, their families and their neighborhoods. Successful reentry protects those who might otherwise be crime victims. It also improves the likelihood that individuals released from prison or juvenile detention facilities can pay fines, fees, restitution, and family support.

By addressing the most basic needs of ex-offenders coming home, we can reduce their chances of re-offending and improve their success as productive, contributing citizens.

I thank you for inviting me here today to testify before the Committee. And I look forward to trying to answer any questions you may have at the appropriate time.